

Ordinance No.:
Zoning Text Amendment No.: 08-08
Concerning: Fenton Village Overlay Zone –
Workforce Housing Height
Draft No. & Date: 1- 4/17/08
Introduced: April 29, 2008
Public Hearing: June 10, 2008
Adopted:
Effective:

**COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND
SITTING AS THE DISTRICT COUNCIL FOR THAT PORTION OF
THE MARYLAND-WASHINGTON REGIONAL DISTRICT WITHIN
MONTGOMERY COUNTY, MARYLAND**

By: The District Council at the request of the County Executive

AN AMENDMENT to the Montgomery County Zoning Ordinance to:

- allow optional method of development projects in the Fenton Village Overlay Zone additional building height to accommodate workforce housing units; and
- generally amend building height limits in the Fenton Village Overlay Zone.

By amending the following sections of the Montgomery County Zoning Ordinance:

Division 59-C-18 OVERLAY ZONES
Section 59-C-18.192 Fenton Village Overlay Zone - Regulations

<p>EXPLANATION: Boldface indicates a heading or a defined term. <u>Underlining</u> indicates text that is added to existing laws by the original text amendment. [Single boldface brackets] indicate text that is deleted from existing law by the original text amendment. <u>Double underlining</u> indicates text that is added to the text amendment by amendment. [[Double boldface brackets]] indicate text that is deleted from the text amendment by amendment. * * * indicates existing law unaffected by the text amendment.</p>
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Ordinance

The County Council for Montgomery County, Maryland sitting as the District Council for that portion of the Maryland-Washington Regional District in Montgomery County, Maryland, approves the following ordinance:

Section 1. Division 59-C-18 is amended as follows:

59-C-18. OVERLAY ZONES.

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59-C-18.19. Fenton Village Overlay Zone.

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59-C-18.192. Regulations.

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(1) Building height in the Overlay Zone:

(A) along the east side of Georgia Avenue must not exceed 90 feet; along the west side of Fenton Street must not exceed 60 feet; within the area between Georgia Avenue and Fenton Street must not exceed 60 feet but may increase up to 90 feet for projects that are at least 33% residential and where the additional height is placed closest to Georgia Avenue and decreases as you move east to Fenton Street; [and]

(B) along the east side of Fenton Street must not exceed 45 feet for all uses except housing, which must not exceed 60 feet[.]; and

(C) between Georgia Avenue and Fenton Street, any optional method of development project may be approved up to the maximum height limit in the underlying zone for the construction of workforce housing units as defined in Chapter 25B if the additional height is the minimum necessary to allow for the construction of workforce housing units. The additional building height for workforce housing units may be approved notwithstanding any limits recommended in a sector plan; however, the building height along the west side of Fenton Street must not exceed 60 feet.

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Sec. 2. Effective date. This ordinance becomes effective 20 days after the date of Council adoption.

This is a correct copy of Council action.

Linda M. Lauer, Clerk of the Council